UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
CINCINNATI DIVISION

TOM KONDASH, on behalf of himself and all others similarly situated,	))	Case No. 1:15-cv-506
	)	Judge Susan J. Dlott
Plaintiff,	)	
v.	)	
	)	
KIA MOTORS AMERICA, INC., and	)	
KIA MOTORS CORPORATION,	)	
	)	
Defendants.	)	
	)	

PLAINTIFF TOM KONDASH'S MOTION FOR CLASS CERTIFICATION

Plaintiff Tom Kondash hereby moves for the entry of an order pursuant to Federal Rule of Civil Procedure 23(b)(3) certifying the below proposed class; appointing Plaintiff's attorneys, Gibbs Law Group LLP and Greg Coleman Law PC, to serve as class counsel under Rule 23(g); and directing notice to class members under Rule 23(c).

Plaintiff seeks to certify the below statewide class:

All persons and entities who purchased or leased a Class Vehicle in Ohio.

The term "Class Vehicle" refers to the following vehicles factory-equipped with factory-installed panoramic sunroofs:

- 2011-2015 Kia Sorento, Sportage, and Optima vehicles (including hybrid vehicles); and

- 2014-2015 Kia Cadenza vehicles.

Excluded from the proposed class are Defendants; any affiliate, parent, or subsidiary of Defendants; any entity in which a Defendant has a controlling interest; any officer, director, or employee of a Defendant; any successor or assign of a Defendant; anyone employed by counsel

for Plaintiff; any judge to whom this case is assigned, his or her spouse, and all persons within the third degree of relationship to either of them, as well as the spouses of such persons; and anyone who purchased a Class Vehicle for the purpose of resale.

Plaintiff's motion is based on this Motion; the accompanying Memorandum of Points and Authorities; the supporting declarations of David Stein, Gregory F. Coleman, Thomas Read, Neil Hannemann, Steven P. Gaskin, and Colin B. Weir, and all exhibits thereto; the [Proposed] Order Granting Class Certification; the deposition transcripts of Yong Seok Kim (Doc. 75), Jurassic Park (Doc. 77), Joe Perez (Doc. 78), and Jong Mahn Chung (Doc. 79); and all other papers filed and proceedings held in this action.

This motion is further made pursuant to the Court's Orders dated April 11, 2017 (Doc. 68) and October 3, 2017 (minute entry).

DATED: October 4, 2017

Respectfully submitted,

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/s/ David Stein

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CERTIFICATE OF SERVICE

I hereby certify that on October 4, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants.

/s/ David Stein